

Entered - 01/02/01 - sb
CL01L0008 - DIANNE C. MITCHELL

01-*L*-1371

CLAIM OF: VANESSA MCDERMOTT,
through her attorney,
Derek M. Wright
2001 Martin Luther King, Jr. Drive
Suite 403
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of an unlawful
detention and search on September 12, 2000 at an undisclosed
location.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind R Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT
CITY COUNCIL SEP 17 2001

ADVERSE REPORT

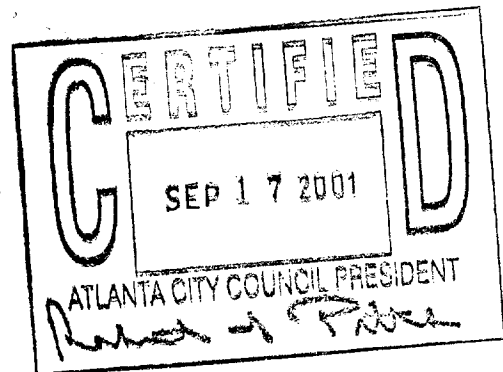
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: Public Safety

CHAIR: 9/17/01 C.T. Munter

Sherry Dorsey
at



CERTIFIED
SEP 17 2001

Fuller
DEPUTY MUNICIPAL CLERK



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

October 2, 2001

Derek M. Wright
Attorney at Law
2001 Martin Luther King, Jr., Dr.
Suite 403
Atlanta, GA 30310

01-R-1371

RE: Vanessa McDermott

Dear Attorney Wright:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on September 17, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0008

Date: August 8, 2001

Claimant /Victim VANESSA MCDERMOTT
BY:(Atty.) Derek M. Wright
Address: 2001 Martin Luther King, Jr. Drive, Suite 403, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ Bodily Injury \$ 250,000.00
Date of Notice: 12/20/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)
Date of Occurrence 09/12/00 Place: Not Stated
Department Police Division:
Employee involved I. Solomon Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she was unlawfully detained and searched by Officer I. Solomon after a traffic stop. However, the claimant has filed a lawsuit to resolve the issues raised in her claim.

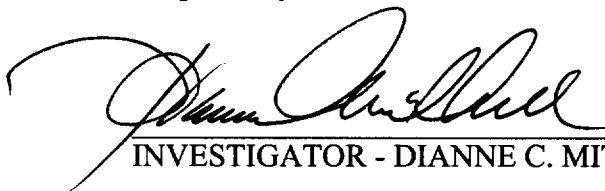
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Dianne C. Mitchell Concur/date 08-10-01
Committee Action: Council Action

RCS# 3123
9/17/01
6:39 PM

Atlanta City Council

Regular Session

MULTIPLE
01-R-1371

Unfavorable Claims; Items 20-59

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	E Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE